



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature  
First Regular Session

Senate: TAT DP 9-0-0-0 | 3<sup>rd</sup> Read 30-0-0-0  
House: TRANS DP 12-0-0-0 | 3<sup>rd</sup> Read 58-0-2-0

## **SB 1551: driver license suspensions; restrictions**

**Sponsor: Senator Boyer, LD 20**

**Transmitted to the Governor**

### **Overview**

Eliminates the requirement for the court to suspend or restrict a driver license for a failure to pay a civil penalty, surcharge or assessment for civil traffic violations. Modifies the ability of the court to mitigate fines and civil penalties.

### **History**

Pursuant to [A.R.S. § 13-825](#), a judge is allowed to mitigate a fine that is not mandatory if a hardship is demonstrated. Pursuant to [A.R.S. § 28-1603](#), a judge is allowed to mitigate any civil penalty that is required by statute relating to traffic and vehicle regulations, vehicle violations, certificate of title and registration if a hardship is demonstrated.

A person is required to pay all civil penalties for civil traffic violations within 30 days from entry of judgement, except that if payment within 30 days will place an undue economic burden on a person, the court is allowed to extend the time for payment, or may provide for installment payments. If the civil penalty is not paid or an installment payment is not made when due, the court is allowed to declare the entire civil penalty due and if so, the court is required to suspend or restrict the person's driving privilege ([A.R.S. § 28-1601](#)). A person who operates a motor vehicle in violation of a driver license restriction is guilty of a class 2 misdemeanor ([4 months/up to \\$750 plus surcharges](#)), except a corrective lens violation is a civil traffic violation ([A.R.S. § 28-3480](#)).

### **Provisions**

1. Narrows the ability of the court to suspend or restrict a driver license for a failure to pay a civil penalty, surcharge or assessment to only commercial driver license holders. (Sec. 2)
2. Requires ADOT to rescind any driver license suspension or restriction that occurred before the effective date of this Act, other than on a commercial driver license, for a failure to appear in court or pay a civil penalty on a civil traffic violation. (Sec. 2)
3. Allows a judge to mitigate a fine, whether mandatory or not, if a hardship is demonstrated, excluding a fine imposed for a DUI offense. (Sec. 1)
4. Allows a judge to waive any civil penalty for civil traffic violations if a hardship is demonstrated. (Sec. 3)
5. States that a person who violates a driver license restriction required for a failure to appear in court or a failure to pay a civil penalty is responsible for a civil traffic violation, rather than guilty of a class 2 misdemeanor ([4 months/up to \\$750 plus surcharges](#)). (Sec. 4)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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6. Allows the court to dismiss a citation for a violation of driving on a restricted license for a failure to appear in court or failure to pay a civil penalty if the cited person presents evidence to the court that the person's unrestricted driving privilege has been reinstated. (Sec. 4)
7. Specifies that a person driving a vehicle with a suspended license for a failure to appear in court or failure to pay a civil penalty is not subject to a vehicle tow or impoundment. (Sec. 5)
8. Makes technical and conforming changes. (Sec. 2-4)